

FILED
JUN 19 2014
THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

**BEFORE THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION**

In re:

*Hangtime Telephone Consumer Protection Act
Litigation*

MDL Docket No. 14-70

**HANGTIME, INC.'S MOTION TO TRANSFER ACTIONS
TO THE NORTHERN DISTRICT OF CALIFORNIA
PURSUANT TO 28 U.S.C. § 1407**

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Hangtime, Inc. (“Hangtime”) respectfully seeks an order pursuant to 28 U.S.C. § 1407(a) centralizing four actions alleging that Hangtime violated the Telephone Consumer Protection Act (“TCPA”) by using an automatic telephone dialing system to send text messages to plaintiffs without their prior consent (the “Related Actions”). The Related Actions share identical facts and the same, single legal issue, purport to be putative nationwide class actions on behalf of the same individuals, and seek the same injunctive and statutory relief. In light of the common factual and legal allegations, the risks of duplicative discovery and inconsistent pretrial rulings, transfer of the Related Actions to a single district before a single judge is warranted.

Centralizing the Related Actions in the Northern District of California would conserve the parties’ resources, avoid the undue burden placed on Hangtime to litigate in an out-of-state court, and allow a streamlined process for discovery because:

- Hangtime is a start-up with limited resources located in San Francisco, California;
- Plaintiffs in two of the four cases have counsel located in California;
- Discovery is likely to take place in San Francisco; and
- The Northern District of California is familiar with issues relating to TCPA actions due to a number of such actions currently pending before it.

Hangtime therefore recommends the Northern District of California as an appropriate forum for coordination of the Related Actions. *See In re Sw. Life Ins. Co. Sales Practices Litig.*, 268 F. Supp. 2d 1377, 1377-78 (J.P.M.L. 2003).

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For the reasons more fully set forth in the accompanying memorandum, Hangtime respectfully requests that the Panel centralize the Related Actions in the Northern District of California for coordinated or consolidated pretrial proceedings.

Date: June 16, 2014

Respectfully submitted,

/s/ Patrick S. Thompson

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